

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Attorney Docket No. 913(377).5888P

In re application of: Inouye et al

Serial No.: 08/808,031  
Filed: 3/3/97

Group Art Unit: 1652  
Examiner: Devish Srivastava  
Phone No.: 703-305-0775

For: PROKARYOTIC REVERSE TRANSCRIPTASE

**TERMINAL DISCLAIMER UNDER MPEP §1.321 AND §3.73**

Box Non-Fee Amendment  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned attorney of record on behalf of the University of Medicine and Dentistry of New Jersey, presently residing at 335 George Street, P.O. Box 2688, New Brunswick, New Jersey 08903, represents that the University of Medicine and Dentistry of New Jersey is the assignee (by virtue of an assignment recorded in the United States Patent and Trademark Office on June 30, 1994, at Reel 7112, Frames 0455-0459) of the entire interest of U.S. Patent Application Serial No.: 08/808,031, and further states that the University of Medicine and Dentistry of New Jersey hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, U.S. Patent Application Serial No.: 08/808,031, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §172 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 5,434,070 and hereby agrees that any patent granted on U.S. Patent Application Serial No.: 08/808,031, shall be enforceable only for and during such period that it and U.S. Patent No. 5,434,070 are commonly owned. This agreement is to run with any patent granted on the above-identified patent application and to be binding upon the grantee, his successors or assigns.

LAW OFFICES  
Weiser & Associates, PC  
SUITE 500  
1240 SO. FIFTEENTH ST.  
PHILADELPHIA, PA 19103  
(215) 675-6263  
FACSIMILE (215) 675-6294

-1-

06/25/1999 DWILLIA1 00000001 230813 08808031  
01 FC:248 55.00 CH

This disclaimer does not disclaim any terminal part of any patent granted on U.S. Patent Application Serial No.: 08/808,031, prior to the expiration date of the full statutory term of U.S. Patent No. 5,320,958, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.32(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned states that he has reviewed the Assignment documents as recorded on June 30, 1994, at Reel 7112, Frames 0455-0459 in the U.S. Patent and Trademark Office and certifies that, to the best of his knowledge and belief title is in the University of Medicine and Dentistry of New Jersey.

The PTO is authorized to debit Deposit Account No. 23-0813 for the terminal disclaimer fee of \$110.00.

Respectfully submitted,



GERARD J. WEISER  
Reg. No. 19,763  
WEISER & ASSOCIATES, P.C.  
Attorneys for Applicants

Date: 6/21/99

\*\*\*\*\*

Certificate of Facsimile Transmission

I hereby certify that this paper (also with any paper referred to as being attached) is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Date: 6-21-99

Kim Sheehan  
(Type or Print Name)  
Kim Sheehan  
(Signature)